



WISCONSIN REGULATORY DIGEST

Volume 11, No. 1 **A Publication of the MEDICAL EXAMINING BOARD** **JUNE, 1998**

New Officers Elected

Recently elected officers of the Medical Examining Board are: W.R. Schwartz, M.D., Chairman; Glenn Hoberg, D.O., Vice-Chairman and Wanda Roevers, Secretary.

Congratulations are in Order

The Medical Examining Board is very proud of and extends congratulations to one of its own. Dr. Rodolfo Molina was recently honored as one of the 1997-98 "Twenty Outstanding Filipino Americans in the U.S. and Canada."

According to the Wisconsin Medical Journal, 1997, Dr. Molina was named for "providing a positive

image of Filipino Americans, representing achievement in personal and community endeavors and providing unselfish support of those in need."

His philanthropic endeavors include assisting the needy in the Philippines with medical supplies, financial aid, hospital equipment and medical assistance as a charter member and past chairman of the Dr. Jose P. Rizal - General MacArthur Foundation.

Dr. Molina is the immediate past chairman of the MEB, having served since 1989. He is board certified in both anatomical and clinical pathology and in nuclear medicine.

Governor Appoints New Board Member

Mohammad Rafiq Sethi, M.D. of Milwaukee has been appointed as a new professional member of the Medical Examining Board by Governor Thompson, to succeed Dr. James Esswein whose term expired.

Dr. Sethi received his medical degree from Liaquat Medical College the University of Sind in Pakistan in 1968 and is a full-time practicing Internal Medicine Physician with a sub-specialty of Endocrinology.

Dr. Sethi is a member of the Association of Pakistani Physicians of North America as well as the Wisconsin Chapter.

Dr. Sethi is married and he and his wife have five children.

MEDICAL EXAMINING BOARD

Members of the Board:

W.R. Schwartz, M.D., Chair (Brookfield)
Glenn Hoberg, D.O., Vice-Chair (River Falls)
Wanda Roevers, Secretary (Slinger)
James Chambers, M.D. (Ashland)
Rebecca Dodson (Wausau)
Ronald Grossman, M.D. (River Hills)
Sidney E. Johnson, M.D. (Marshfield)
Sandra Mahkorn, M.D. (Milwaukee)
Rodolfo Molina, M.D., (Beaver Dam)
Mikki Patterson (Madison)
Pablo Pedraza, M.D. (Milwaukee)
Mohammed Rafiq Sethi, M.D. (Milwaukee)
Darold A. Treffert, M.D. (Fond du Lac)

Administrative Staff:

Patrick D. Braatz, Division Administrator

Executive Staff:

Marlene A. Cummings, Secretary
Patricia McCormack, Deputy Secretary
Myra Shelton, Executive Assistant

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BUREAU OF HEALTH PROFESSIONS
1998 BOARD MEMBERS

<u>MEDICAL EXAMINING BOARD</u>	
<u>Title</u>	<u>Name</u>
CHAIRMAN	W.R. Schwartz, M.D.
VICE-CHAIRMAN	Glenn Hoberg, D.O.
SECRETARY	Wanda Roever*
	James Chambers, M.D.
	Rebecca Dodson*
	Ronald Grossman, M.D.
	Sidney E. Johnson, M.D.
	Sandra Mahkorn, M.D.
	Rodolfo Molina, M.D.
	Mikki Patterson*
	Pablo Pedraza, M.D.
	Mohammed Sethi, M.D.
	Darold A. Treffert, M.D.
	Vacancy**

<u>DISCIPLINARY COMMITTEE</u>	
<u>Title</u>	<u>Name</u>
CHAIRMAN	Wanda Roever*
MEMBER	Dr. W. R. Schwartz
MEMBER	Dr. James Chambers
MEMBER	Dr. Ronald Grossman
MEMBER	Dr. Darold A. Treffert
MEMBER	Dr. Rodolfo Molina
MEMBER	Dr. Glenn Hoberg
MEMBER	Attorney Gilbert Lubcke
MEMBER	Stuart Engerman

<u>LIAISON TO STATE MEDICAL SOCIETY</u>	
	<u>Name</u>
	Dr. Sidney E. Johnson

<u>R & L IPP LIAISON</u>	
	<u>Name</u>
	Dr. Ronald Grossman

<u>NEWSLETTER COMMITTEE</u>	
<u>Title</u>	<u>Name</u>
MEMBER	Wanda Roever*
MEMBER	Dr. Sandra Mahkorn
MEMBER	Dr. Pablo Pedraza
MEMBER	Rebecca Dodson*

<u>EXAMINATION COMMITTEE</u>	
<u>Title</u>	<u>Name</u>
CHAIRMAN	Dr. Sidney Johnson
MEMBER	Dr. Glenn Hoberg
MEMBER	Dr. Ronald Grossman
MEMBER	Dr. Mohammed Sethi

<u>SCREENING COMMITTEE</u>	
<u>Title</u>	<u>Name</u>
CHAIRMAN	Dr. W. R. Schwartz

MEMBER	Wanda Roever*
MEMBER	Attorney Michael Berndt
MEMBER	Inv. Supv. Stu Engerman
MEMBER	1 board member alternating in alphabetical order every three months

<u>SMS IMPAIRED PROFESSIONAL COMMITTEE</u>	
<u>Title</u>	<u>Name</u>
MEMBER	Dr. Ronald Grossman
MEMBER	Dr. W. R. Schwartz
MEMBER	Mikki Patterson*
MEMBER	Rebecca Dodson*
	3 members of State Medical Society

<u>LIAISON TO DOE ON MONITORING OF CASES</u>	
	<u>Name</u>
	Dr. Ronald Grossman

<u>EDUCATION COMMITTEE</u>	
<u>Title</u>	<u>Name</u>
CHAIRMAN	Dr. Darold Treffert
MEMBER	Dr. Ron Grossman
MEMBER	Dr. Mahkorn
MEMBER	Wanda Roever*
MEMBER	Rebecca Dodson*
MEMBER	Attorney Pamela Stach

<u>ADMINISTRATIVE RULES COMMITTEE</u>	
<u>Title</u>	<u>Name</u>
CHAIRMAN	Dr. Ronald Grossman
MEMBER	Dr. Sandra Mahkorn
MEMBER	Dr. Sidney Johnson
MEMBER	Dr. Rodolfo Molina
MEMBER	Dr. Pablo Pedraza
MEMBER	Mikki Patterson*
MEMBER	Rebecca Dodson*

<u>LEGISLATIVE COMMITTEE</u>	
ALL BOARD MEMBERS	

NOTE: *Public Member
 **Non-voting Member, Patient's Compensation Fund

Medical Board Advisory Councils

The following is the current membership and expiration dates of the members of the advisory councils to the Medical Examining Board. If you would be interested in serving on one of these councils, please submit your name and résumé along with at least one letter of reference to Chairman, Wisconsin Medical Examining Board, Department of Regulation and Licensing, P.O. Box 8935, Madison, WI 53708-8935.

Respiratory Care Practitioner's Council

David L. Ballard, Hartland, term expires 07/01/2000
 Peter Sanville, Stoughton, term expires 07/01/98
 Gloria A. Beaser**, LaCrosse, term expires 07/09/99
 Basil Varkey, M.D., term expires 07/01/99

Occupational Therapy Examining Council

Wayne Winistorfer, O.T., Oshkosh, term expires
 07/01/99

Joann G. Jansen, Madison, term expires 07/01/2000

Linda Vielhuber, O.T.A., LaCrosse, term expires
 07/01/98

Vacancy*

Vacancy*

Physicians Assistants Council

Glen D. Brandt, P.A., Madison, term expires 07/01/2000

Susan Skaros, P.A., Milwaukee, term expires 07/01/98

Jerry Noack, P.A., Madison, Appointed by the Dean of
 Allied Health of the UW for an unspecified term

Bernard Saffold, Milwaukee, term expires 07/01/2000

Vacancy

Podiatrists Examining Council

Lisa Garcia Reinicke, D.P.M., Janesville, term expires
 07/01/98

Mark Julsrud, D.P.M., LaCrosse, term expires
 07/01/99

Stephen Arbes, Green Bay, term expires 07/01/2000

Vacancy**

* Public Members Appointed by the Medical
 Examining Board

** Public Members Appointed by Governor

Staying Out of Trouble

Every month the Medical Examining Board reviews a number of complaints from consumers regarding their medical care; reports regarding medical malpractice payments; and reports from the National Practitioners Data Bank on disciplines on doctors from other jurisdictions. These cases are evaluated as to whether they should be opened for further investigation or not.

The cases opened for investigation fall into several categories:

Unlicensed activity	Advertising violation
Violation of related law	Negligence/Incompetence
Fraud/Deceptive Practice	Unprofessional Conduct
Substance abuse/Impaired	Prescriptive practice
Miscellaneous	

The miscellaneous category can include problems such as practice while not registered; being disciplined in another state; failing FLEX exams; failing to contribute to the Patients Compensation Fund; failing to obtain the required CME credits, yet certifying on the renewal application the credits were obtained; and performing procedures without patient's consent, to name a few of the more numerous problems.

Not included on this list are the complaints regarding doctor/patient communication problems. These could

be placed under the heading of "rude doctor" demeanor and are not complaints which result in discipline from the medical board. However, because the number of complaints is substantial, the board cannot help but be concerned that the public's perception of an uncaring medical profession is becoming more widespread.

From the MEB's standpoint, it appears that good communication with the patient is paramount and probably ranks right up there with good treatment. It is also understood that this is a time of managed care and restrictions being placed on health care providers to hold down costs. So now, more than ever, is a good time for doctors to reflect on their communications with their patients and, in some cases their families, and how connections can be improved.

Role of the Physical Therapist Assistant

Questions have arisen regarding the role of the physical therapist assistant. A physical therapist assistant means an individual who has graduated from a physical therapist assistant associate degree program approved by the American Physical Therapy Association. The State of Wisconsin does not license physical therapy assistants. However, the role of a physical therapist assistant is limited by statute and rule.

A physical therapist assistant cannot legally work independently. A physical therapist assistant must practice under licensee supervision. Section 448.52(3), Stats. recognizes that a physical therapist assistant may assist a physical therapist in practice under the general supervision of the physical therapist. The affiliated credentialing board has promulgated rules defining "general supervision" in this context.

A licensed physician may not only refer a patient for physical therapy, he or she could conceivably delegate the performance of therapy directly to a physical therapist assistant¹. The doctor should, however, understand that the assistant would then be practicing under the delegated authority of the physician's own license. A physician should check with his medical malpractice insurer and attorney in considering whether to make such a delegation.

¹448.03(2) Exceptions. Nothing in this chapter shall be construed either to prohibit, or to require a license or certificate under this chapter for any of the following:....(3) Any person providing patient services as directed, supervised and inspected by a physician or podiatrist who has the power to direct, decide and oversee the implementation of the patient services rendered.

Discipline

R.A. NIELSEN, D.P.N.
 MILWAUKEE WI

REPRIMAND

Failed to adequately document positive and negative findings in his medical records and failed to conduct a minimally competent clinical evaluation which would have permitted him to adequately assess the patient's peripheral vascular circulatory status and to determine that surgery was contraindicated. Ordered to complete an educational program. Also ordered to pay costs. Effective 7/31/97. (Currently on appeal) Sec. 448.02 (3), Stats. Med. 10.02(2)(h) Case # LS9310223MED.

SANFORD J. LARSON, M.D.
MILWAUKEE WI REPRIMAND
Issued undated prescriptions for controlled substances. An allegation of inadequate charting was dismissed. Also ordered to pay costs. (Currently on appeal) Effective 11/29/97. Med 10.02(2)(p) Case # LS9609261MED.

WILLIAM B. HOBBS, M.D.
MADISON WI LIMITED
Failure to obtain pulmonary oncology consultations regarding radiographic findings. Complete continuing medical education in the area of treatment of breast cancer. Effective 10/22/97. Sec. 448.02(3), Stats. Med 10.02(2)(h) Case # LS9710222MED.

CHARLES W. TROUP, MD.
GREEN BAY WI LIMITED
Failed to conduct a timely investigation to ascertain the cause for the lack of significant urinary output. Ordered to attend continuing education and to pay costs of \$700. Effective 1/28/98. Sec. 448.02(3), Stats. Med 10.02(2)(h) Case # LS9801281MED.

RICHARD D. KLAMM, M.D.
NEENAH WI LIMITED
Permanently damaged a patient's spinal accessory nerve while performing a lymph node biopsy. Ordered not to perform any lymph node biopsies. Effective 2/25/98. Sec. 448.02(3), Stats. Med 10.02(2)(h) Case # LS9802251MED.

CLYDE C. LAWNICKI, M.D.
LA CROSSE WI LIMITED
The amount of morphine administered to a patient was excessive and created an unacceptable risk. Ordered to complete an educational course in pharmacology. Also ordered to pay costs of \$350. Effective 1/22/98. Sec. 448.02(3), Stats. Med 10.02(2)(h) Case # LS9801222MED.

DION PATRICK FLYNN, D.P.M.
MENOMONEE FALLS WI SUSPENDED
Obtained a drug for his personal use by issuing false prescription orders. Convicted of obtaining a prescription drug by fraud. Suspended for 5 years. The suspension is stayed with limitations imposed. Also ordered to pay costs of \$500. Effective 6/25/97. Sec. 450.11(7)(a), Stats. Med 10.02(2)(p) and (r) Case # LS9706251MED.

JOHN R. MARSHALL, M.D.
MADISON WI REPRIMAND
Entries were made in a patient's medical record several years after the original was made. The original record the patient had obtained earlier did not include the entry. Effective 11/20/97. Sec. 448.02(3), Stats. Med 10.02(2) Case # LS9711202MED.

FRANCOIS J. SACULLA, M.D.
RACINE WI LIMITED
Failed to obtain a psychological evaluation which was previously ordered by the board, a violation of a valid order of

the board. Ordered not to practice until he cooperates with and participants in the evaluation. Effective 9/18/97. Med 10.02(2)(b) Case # LS9507111MED.

TRAVIS L. GEE, P.A.
KEWAUNEE WI SURRENDER
Had a sexual relationship with an individual who was his patient. Issued prescriptions without having his supervising physician review the prescriptions and sign the patient record. May petition for recertification after two years. Effective 6/25/97. Med 10.02(2)(a), (h) and (j) Case # LS9604032MED.

KENNETH L. STREBE, M.D.
MOUNTAIN WI LIMITED
Treated a patient with long term injected steroids and opioid analgesia. Patient's records failed to record a diagnosis which would justify the prescribing, and failed to demonstrate basic precautions were taken when prescribing. Ordered to undergo an assessment, pass an exam and complete an educational program. Also ordered to pay costs of \$500. Effective 11/20/97. Med 10.02(2)(h) Case # LS9711204MED.

LANCE K. CHMURA, P.A.
STATE COLLEGE PA SUSPENDED
While employed in Texas he admitted to a police officer that he had forged a doctor's signature on prescriptions without the doctor's knowledge or consent. Pled guilty/nolo contendere in a Texas court to one count of Acquiring a Controlled Substance by Fraud. Ordered to pay costs. Effective 8/31/97. Med 10.02(2)(p), (r), (q) Case # LS9703271MED.

KRISTIE A. LEONG, M.D.
BAYSIDE WI REPRIMAND
Prescribed controlled substances for weight control for a person with a BMI of less than 25, in which there was no medical justification for such prescribing. Ordered to pay costs of \$650. Effective 8/20/97. Med 10.02(2)(h) and (u) Case # LS9708203MED.

CLARKE E. TAYLOR, D.O.
PETOSKEY MI REVOKED
On 12/19/96 the Michigan Board of Osteopathic Medicine and Surgery revoked his license to practice in Michigan. Effective 9/29/97. Med 10.02(2)(q) Case # LS9705192MED.

MICHAEL KUSHNARYOV, M.D.
WAUWATOSA WI SURRENDER
Saw patients for diagnosis and treatment while he was impaired which rendered him unable to practice with skill and safety to patient and public. Issued what purported to be prescriptions for patients when in fact they were for his personal use. Effective 2/26/97. Secs. 161.38(5), 161.41(2r)(a), 961.38(5) and 943.38(2), Stats. Med 10.02(2)(p) and (z) Case # LS9609301MED.

RICHARD F. SORENSEN, M.D.
WEST BEND WI LIMITED
Self-administered without a prescription both meperidine and morphine. He cannot account for certain other controlled substances which he received as samples and which he consumed without prescription from another practitioner. Ordered to pay costs of \$450. Effective 2/26/97. Med 10.02(2)(p) Case # LS9702263MED.

MAGTANGOL R. deQUINA, M.D.
CUDAHY WI SURRENDER
In September, 1995, he was ordered to take and pass the SPEX examination. He has not done so and agreed to surrender his

license. Effective 2/26/97. Med 10.02(2)(b)
Case # LS9612031MED.

PETER W. GOY, M.D.
WEST BEND WI SUSPENDED
Purported to examine patients' pain medications, but instead removed tablets from patients' medication containers and later ingested them himself for nonmedical reasons. Charting was tardy, incomplete, disorganized and inadequate. Suspended for 5 years. Suspension is stayed for 3 months with conditions and limitations imposed. Ordered to pay costs of \$300. Effective 10/22/97. Sec. 943.20 (1)(a), Stats. Med 10.02 (2) (h) and (p) Case # LS9710221MED.

STEVEN G. TARANGLE, M.D.
BERRIEN SPRINGS MI SUSPENDED
Disciplined in Michigan involving improper prescription of controlled substances. Suspended indefinitely. Effective 4/23/97. Med 10.02(h), (p) and (q) Case # LS9704232MED.

NANCY LYNN SCHRADER, M.D.
MEMPHIS TN SUSPENDED
Disciplined by the Arkansas State Medical Board involving allegations of improper self-prescription of controlled substances. Suspended indefinitely. May petition the board at any time for permission to practice in Wisconsin. Effective 10/22/97. Med 10.02(2)(h), (p) and (q) Case # LS9710224MED.

J. GREGORY HOFFMANN, M.D.
EAGLE RIVER WI SUSPENDED
While under the influence of alcohol he attended to a patient. Suspended for at least 5 years. Suspension stayed with limitations imposed upon his practice. Ordered to pay costs of \$100. Effective 10/22/97. Med 10.02(2)(i) Case # LS9710223MED.

DEBRA M. FOTI - OCCUPATIONAL THERAPY ASSISTANT
OAK CREEK WI REPRIMAND
Application for certification was denied because she had practiced as an occupational therapy assistant without certification from 8/96 until 2/25/97. Also ordered to complete education. Effective 7/31/97. Sec. 448.03(3)(g), Stats. Case # LS9707311MED.

KIMBERLY A. KIRSH - RESPIRATORY CARE PRACTITIONER
EAU CLAIRE WI REPRIMAND
Practiced respiratory care as an employee of a hospital without being certified. Ordered to take 12 hours of continuing education in the area of ethics for health care providers. Effective 7/31/97. Sec. 448.03(1m), Stats. Case # LS9707312MED.

KELLY L. JACQUE - OCCUPATIONAL THERAPY ASSISTANT
PORT WASHINGTON WI REPRIMAND
Identified herself as an occupational therapy assistant when she was not certified. Ordered to complete 12 hours of continuing education in the area of ethics for health care providers. Effective 8/20/97. Sec. 448.03 (3) (g), Stats. Case # LS9708224MED.

DAVID PAPENDICK, M.D.
ALGOMA WI SURRENDER
Prescribed Colchicine to a patient on the basis of the patient's self-diagnosis, and failed to appreciate the toxic nature of this

prescription. Billed Medicare for services he did not provide personally or through a delegated medical act. Voluntarily surrenders his license. Effective 12/17/97. Sec. Med 10.02(2)(h) Case # LS9709252MED.

DEBRA J. VERMEERN - RESPIRATORY CARE PRACTITIONER
APPLETON WI REPRIMAND
Continued to work as a respiratory care practitioner without current registration. Also ordered to pay a forfeiture of \$100. Effective 2/25/98. Sec. 448.02 (3) and 448.03 (1m), Stats. Case # LS9802254MED.

ROLF F. KRUSE, M.D.
WATERLOO IA SURRENDER
The Iowa Board of Medical Examiners took adverse action against his Iowa license. Voluntarily surrendered his Wisconsin license. Effective 2/25/98. Sec. 448.02(3), Stats. Med 10.02(2)(a) and (q) Case # LS9802253MED.

Complaint Procedures

Because policing of the profession is complaint driven, the Board must rely on professionals in the field as well as unsatisfied customers to file complaints. If you have a complaint about a professional, you can contact the Department for a complaint form at (608) 266-3736 or submit your complaint in writing. Please provide as much information as possible.

Credential holders, if a complaint is filed against you, be aware that you have legal rights to due process. You will be contacted by the Department during the investigative stage and given an opportunity to defend yourself. You may be represented by an attorney.

Verifications

ALL verification requests must be in writing. Requests for verifications to other states must be in writing, the cost is \$10. Please make out check or money order to the Department of Regulation and Licensing.

Department of Regulation and Licensing
Medical Examining Board
P.O. Box 8935
Madison, WI 53708-8935

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REGULATORY DIGEST

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Press 1 **Request Application**

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Press 3 **Complaint Filing Information**

Press 4 **Status of a Pending Application**

Press 5 **Verifying Current Status of a Credential Holder**

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Digest on Web Site

The September 1997 digest is on the Web.

Visit the Department's Web Site

<http://badger.state.wi.us/agencies/drl/>

Send comments to dorl@mail.state.wi.us

Wisconsin Statutes and Code

Copies of the Medical Statutes and Administrative Code can be ordered through the Board Office. Include your name, address, county and a check payable to the Department of Regulation and Licensing in the amount of \$5.28. The latest edition is dated September, 1997.

Change of Name or Address?

Please photocopy the mailing label of this digest, make changes in name or address, and return it to

the Department. Confirmation of changes are not automatically provided.

WIS. STATS. S. 440.11 ALLOWS FOR A \$50 PENALTY TO BE IMPOSED WHEN CHANGES ARE NOT REPORTED WITHIN 30 DAYS.

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Bi-annual digest subscriptions are published for all Boards housed within the Department at a cost of \$2.11 each per year. LICENSEES RECEIVE THEIR BOARD REGULATORY DIGEST FREE OF CHARGE. Others may send the fee and this form to the address listed above.

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